

### REMARKS

Upon entry of this amendment, claims 24, 25, 27, 28, 34, 35, 38, 40, and 53-63 will be pending in the application. Claims 34 and 35 are amended to recite the ligands of histamine or methylhistamine. Exemplary support for the amendments is located in the specification on page 5. Claims 24, 27, 38, and 40 are amended to specify the biological activities of binding to a histamine H3 receptor-specific ligand, inhibition of adenylate cyclase in response to histamine, cyclic AMP induction in the presence of thioperamide, or incorporation of GTP-gamma-S. Exemplary support for the amendments is located in the specification at pages 3-4 and Figure 5. Claims 24, 25, 27, 28, 34, 35, 38, 40, and 53 are amended to recite the article "the" in referring to specific amino acid or nucleotide sequences. Claims 55-59 are added to recite histamine H3 receptor-specific ligands comprising histamine or methylhistamine as supported in the specification, for example, by the paragraph bridging pages 5-6. Claims 60-63 are added as supported, for example, by Figure 5. Claims 1-23, 26, 29-33, 36, 37, 39, and 41-52 are canceled. No new matter is introduced.

Claims 24, 27, 34, 35, 38, 40, 53, and 54 are rejected under 35 U.S.C. § 112, first paragraph for alleged lack of enablement of the methods of isolating or producing a homologue of human histamine H3 receptor having greater or reduced affinity than a receptor having the amino acid sequence of SEQ ID NO:7 for all possible ligands or exhibiting all possible biological activities of a human histamine receptor of SEQ ID NO:7. Although Applicants disagree with the rejection, Applicants have amended the claims in an effort to advance prosecution of the application. Claims 34 and 35 have been amended to specify the ligand as histamine or methylhistamine. Claims 24, 27, 38, and 40 have been amended to specify the biological activities of binding to a histamine H3 receptor-specific ligand, inhibition of adenylate cyclase in response to histamine, cAMP induction in the presence of a histamine H3 receptor antagonist, or incorporation of GTP-gamma-S. Withdrawal of the rejection is respectfully requested.

Claims 24, 25, 27, 28, 34-36, 38, and 40-54 are rejected under the second paragraph of section 112 for alleged lack of clarity in recitation of the article "a" or "an." Withdrawal of the rejection is respectfully requested in view of amendment of the claims to recite the article "the" in referring to specific amino acid or nucleotide sequences.

DOCKET NO.: JJPR-0043 (ORT-1291 DIV)  
Application No.: 10/727,021  
Office Action Dated: December 13, 2005

PATENT


### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, he is invited to contact the undersigned at 215-557-5908.

Respectfully submitted,

Date: March 13, 2006

  
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